by certify that this correspondence is being deposited with the United States Postal Service as first class mail sufficient postage in an envelope addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. TKA Box 1450, Alexandria, VA 22313-1450. Signature Data Date October 2, 2003 Christina Fernandez

Name

Attorney Docket No. 42.P14874

Date Mailed

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:			
Sell et al.	Examiner:	Vy, Hung T.	
Application No.: 09/900,423	Art Unit:	2828	
Filed: July 6, 2001			
For: HERMETICALLY SEALED EXTERNAL ) CAVITY LASER SYSTEM AND METHOD )			
Mail Stop Non-Fee Amendment	10/08/	2003 NROCHA1 6000	8824 09988423
Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	01 FC:	1806	189.09 OP

## INFORMATION DISCLOSURE STATEMENT 37 C.F.R.§§ 1.56, 1.97, 1.98

Sir:

Enclosed is a copy of Information Disclosure Citation Form PTO-1449. Applicant respectfully requests that the cited documents be considered and that the enclosed copy of Information Disclosure Citation Form PTO-1449 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant. Copies of the references listed on Form PTO-1449 are enclosed.

Pursuant to 37 C.F.R. § 1.97, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed as an admission that the information cited in this statement is material to patentability. Additionally, as to any reference supplied applicants do not admit that it is "prior art" under 35 U.S.C. §§ 102 or 103, and specifically reserve the right to traverse or antedate any such reference, as by a showing under 37 C.F.R. § 1.131 or other method.



Pursuant to 37 C.F.R. § 1.97, this Information Disclosure Statement is being submitted under one of the following:

37 C.F.R. §1.97(b).

37 C.F.R. §1.97(c). If so, then enclosed with this Information Disclosure Statement is one of the following:

A statement pursuant to 37 C.F.R. §1.97(e) as follows:

		[ ] Each item of information contained in this information disclosure statement (IDS) was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the IDS.
		[ ] No item of information contained in this information disclosure statement (IDS) was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in Sec. 1.56(c) more than three months prior to the filing of the IDS.
	[XX]	A check for the fee required under 37 C.F.R. §1.17(p) for submission of the IDS.
]		F.R. §1.97(d). If so, then enclosed with this Information Disclosure Statement are f the following
	[]	A statement pursuant to 37 C.F.R. §1.97(e) as follows:
		[ ] Each item of information contained in this information disclosure statement (IDS) was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the IDS.
		[ ] No item of information contained in this information disclosure statement (IDS) was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in

[ ] A check for the fee required under 37 C.F.R. §1.17(p) for submission of the IDS.

this IDS was known to any individual designated in Sec. 1.56(c) more than three

months prior to the filing of the IDS.

## Charge Deposit Account

Please charge our Deposit Account No. 02-2666 for any additional fee(s) that may be due

in this matter, and please credit the same deposit account for any overpayment.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Cory G. Claassen

Attorney for Applicant Registration No. 50,296

Blakely, Sokoloff, Taylor & Zafman LLP 12400 Wilshire Boulevard, Seventh Floor Los Angeles CA 90025-1030

Phone: 206-292-8600 Facsimile: 206-292-8606

Date: Oct. 2, 2003

Enclosures: Postcard

References (56)

## Substitut for Form 1449A/PTO (Modified) Complete if Known 09/900,423 **Application Number** INFORMATION DISCLOSURE Filing Date July 6, 2001 TEMENT BY APPLICANT First Named Inventor: John E. Sell (use as many sheets as necessary) Group Art Unit 2828 **Examiner Name** Vy, Hung T. 3 42.P14874 Attorney Docket Number

			U.S. PATENT DOCUMENTS		
No.1	U.S. Patent  Number  Code <sup>2</sup>	Document  Kind (If known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
1	4,410,992		Javan	10/18/1993	
2	4,460,977		Shimada et al.	07/17/1984	
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30	6,337,660	B1	Esman et al.	01/08/2002	
	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29	No.¹  Number Code²  1	Number Code²         Kind (If known)           1         4,410,992           2         4,460,977           3         5,124,993           4         5,163,063           5         5,414,280           6         5,418,800           7         5,428,700           8         5,444,724           9         5,673,129           10         5,751,750           11         5,777,773           12         5,848,092           13         5,872,881           14         5,943,352           15         6,018,535           16         6,034,799           17         6,040,950           18         6,044,095           19         6,064,501           20         6,081,539           21         6,115,121           22         6,181,717         B1           23         6,205,159         B1           24         6,215,802         B1           25         6,229,835         B1           26         6,249,365         B1           27         6,259,712         B1           28         6,301,280         B	Number   Code <sup>2</sup> (If known)     1	Number   Code <sup>2</sup>   Kind (If known)     1

Examiner	Date Considered	
Signature		

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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<sup>&</sup>lt;sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard S.3). <sup>4</sup>For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

Substitut for Form 1449A/PTO (Modified)			Сотр	olete if Known		
INFORMATION	A DISCL	OSURE	Application Number	09/900,423		
SEATEMENT BY APPLICANT  O vise as many sheets as necessary)			Filing Date	July 6, 2001		
			First Named Inventor:	John E. Sell		
sh t 2 of 3		Group Art Unit	2828			
		Examiner Name	Vy, Hung T.			
		Attorney Docket Number	42.P14874			
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Exam:	- NEMP	<b>5</b> /		U.S. PATENT DOCUMENTS		
Exam: -	Cite No.	U.S. Patent Docum	ent	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document	Pages, Columns, Lines, Where Relevant
initial	110.	Number Kind Co known)	de <sup>2</sup> (If	<b>6, 6,00</b>	MM-DD-YYYY	Passages or Relevant Figures Appear
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Exam. Initial*	Cite No. <sup>1</sup>	Fore Office <sup>3</sup>	ign Patent Docum Number⁴ Kind (If k		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sub>6</sub>	
	48	WO	98/05105		ROYCHOUDHURI	02/05/1998			
	49	WO	00/49689		ZORABEDIAN	08/24/2000			
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	54	WO	03/005512	A2	NEW FOCUS, INC.	01/16/2003			

Examiner	Date Considered	
Signature		

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<sup>&</sup>lt;sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard S.3). <sup>4</sup>For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

INFORMATION DISCLOSURE  STATEMENT BY APPLICANT  Filing Date  First Named Inventor:  Group Art Unit  Sheet I  Of  OTHER ART - NO PATENT LITERATURE DOCUMENTS  Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published  KETELSEN, L. J. P., "Simple Technique for Measuring Cavity Loss in Semiconductor Laser," Electronics Letters, (August 18, 1994), Vol. 30, No. 17, pp. 1422-1424  S6 SHTENGEL, G. E., et al., "Internal Optical Loss Measurements in 1.3um InGaAsP Lasers," Electronic Letters, (July 6, 1995), Vol. 31, No. 14, pp. 1157-1159.	
Filing Date  STATEMENT BY APPLICANT  Filing Date  Filing	
STATEMENT BY APPLICANT    Filing Date   July 6, 2001	
Group Art Unit  2828  Examiner Name  Vy, Hung T.  OTHER ART – NO PATENT LITERATURE DOCUMENTS  Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published  KETELSEN, L. J. P., "Simple Technique for Measuring Cavity Loss in Semiconductor Laser," Electronics Letters, (August 18, 1994), Vol. 30, No. 17, pp. 1422-1424  56 SHTENGEL, G. E., et al., "Internal Optical Loss Measurements in 1.3um InGaAsP Lasers,"	
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